

REMARKS

Reconsideration and allowance in view of the following remarks are respectfully requested. Specifically, favorable consideration of pending Claims 1, 2, 4, 6, 7, 9–12, and 14–40 is respectfully requested.

THE REJECTIONS UNDER 35 U.S.C. §103(a)

The following rejections have been made of the pending claims under 35 U.S.C. §103(a):

I. Claims 1, 2, 4, 6, 7, 9–12, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roddy (U.S. Patent 6,678,880; hereafter “Roddy”) in view of Gerard *et al.* (U.S. Patent 6,092,079; hereafter “Gerard”);

II. Claims 29–40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roddy in view of Gerard and in further view of Lundin *et al.* (U.S. Patent 5,339,430; hereafter “Lundin”); and

III. Claims 15–28 were rejected under 35 U.S.C. §103(a) as being unpatentable over Roddy in view of Gerard and further in view of Bak *et al.* (U.S. Patent 6,510,437; hereafter “Bak”).

The Applicant respectfully traverses all of rejections I, II, and III, primarily upon the assertion that the proposed combination of Roddy and Gerard, which is cited in all of rejections I, II, and III, is fundamentally deficient with respect to Claim 1, which is the base claim from which the all of the remaining pending claims depend. Further, neither Lundin nor Bak are sufficient to overcome such deficiencies, nor are any assertions to

that effect made in the respective rejections. Thus, the Applicant submits that all of rejections I, II, and III may be overcome for at least the reasons discussed below.

More specifically, the Applicant submits that the proposed combination of Roddy and Gerard fails to meet all of the requirements that are necessary to establish a *prima facie* case of obviousness. The requirements for establishing a *prima facie* case of obviousness are provided in MPEP §2143, which states, in part:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Even more specifically, the Applicant respectfully submits that the proposed combination of Roddy and Gerard fail to teach or suggest, as recited in Claim 1, a mutation object that comprises:

a method for mutating at least one object of said plural objects dynamically during run-time to provide a new implementation within the one object, wherein the one object includes a first method and a second method and an interface with a pointer, and

wherein the method of mutating includes changing the pointer from

identification of the first method to
identification of the second method.

As the Applicant previously stated in the Response of April 30, 2004, in Claim 1, information is changed *within the object itself*, namely by a pointer within the interface of the object being changed “from identification of the first method to identification of the second method.” The Applicant maintains that Roddy does not teach or suggest changing information within the object itself; more particularly, Roddy does not teach or suggest changing a pointer corresponding to the interface of the object from an identification of a first method in the object to an identification of a second method in the object.

Rather, Roddy describes modifying pointers in a database that are used to identify parent and child objects in an object. That is, Roddy discloses changing the external relationships of an object to other objects. Clearly such description fails to teach or suggest specific limitations of Claim 1, as required for rendering the claim *prima facie* obvious.

The Applicant further submits that Gerard does not compensate for the fundamental deficiencies of Roddy, with respect to Claim 1. In particular, as with Roddy, Gerard does not teach or suggest changing information within the object itself. Instead, Gerard describes changing a method table pointer from a method of one object to a method of another object. This distinction is shown at col. 7, lines 28–30 of Gerard, which states, in part: “The method table pointer 410 is then changed to point to the methods of the new class,” (emphasis added by the Applicant).

Clearly, by pointing to methods of a new class, Gerard actually *teaches away* from teaching changing information within the object itself, as in Claim 1.

Thus, for at least the reasons discussed above, the Applicant respectfully maintains that the proposed combination of Roddy and Gerard is fundamentally deficient with respect to Claim 1. That is, both singularly and in combination together, Roddy and Gerard fail to teach, suggest, or even provide motivation for a mutation object having, in part, a method for mutating at least one object dynamically during runtime to provide a new implementation within the one object, as in Claim 1. As a result, the primary combination of Roddy and Gerard is an insufficient basis for establishing a *prima facie* case of obviousness with regard to Claim 1.

Accordingly, it is further submitted that all of pending Claims 1, 2, 4, 6, 7, 9-12, and 14-40 are patentably distinguishable over Roddy and Gerard, for at least the reasons discussed above (the Applicant, again, notes that Claim 1 is the base claim from which all of Claims 2, 4, 6, 7, 9-12, and 14-40 depend). Therefore, it is requested that all of rejections I, II, and III, listed above, be reconsidered and withdrawn.

CONCLUSION

The remaining references of record have been considered. It is respectfully submitted that they do not compensate for the deficiencies of any of the references utilized in rejecting the pending claims.

All objections and rejections having been addressed, it is respectfully submitted that the present application is now in condition for allowance. Early and forthright issuance of a Notice of Allowability is respectfully requested.

Respectfully Submitted,

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